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EPA Region 5 Records Ctr.



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Mr. A. Bruce White
MIDCO Trustee
KARAGANIS, WHITE & MAGEL, Ltd.
414 N. Orleans St., Ste. 819
Chicago, IL 60610

Via Fax: (312-836-9083) & E-mail: BWhite@K-W.com
And Certified Mail

Re: Gary Airport Hangar Construction
MIDCO II Superfund Site – 5900 Industrial Highway

Dear Mr. White:

I am writing as the attorney for Lee Construction Services, Inc. as a follow-up to my earlier letter to you of July 2, 2007 and as a close-out letter regarding the Airport Hangar Project dewatering matter, because the dewatering operations in question have been completed with no adverse effects. As indicated in my prior letter, my client is the contracted agent of the Airport to supervise the design and construction of the Airport's hangar project identified in your letter. All of my prior statements with regard to due diligence and pre-construction preparation in my earlier letter remain accurate, as does the statement of the basic engineering-construction constraint that, due to the high ground water in the area, any substantial construction on Airport property requires dewatering.

As you are probably aware, representatives of my client, including Mr. Pat Lee and the engineering consulting firm CDM, as well as USEPA, the City of Gary, and consultants for the MIDCO PRPs including Environ and LFR, had lengthy discussions regarding the potential effect that dewatering at the Airport could have on the MIDCO II contamination plume, and the prevention methodology proposed by my client. This method, consisting of a recharge trench for creating a "hydraulic barrier" effect, was implemented quickly by my client and has proven to be an effective barrier to any potential ground water movement from MIDCO II toward the Hangar construction area. My client also conducted sampling and laboratory analysis of water quality samples of the dewatering flow the results of which demonstrate that there were no significant impacts from the dewatering in terms of environmental concerns, including potential influence on or from

the MIDCO plume. In addition, my client authorized CDM to perform analytical groundwater flow modeling, data evaluations, and technical advisory services, for helping design, construct, and confirm the effectiveness of the selected preventative methodology. All of these proactive steps were defined and implemented collaboratively through communications between the various parties. These good faith efforts demonstrate, as promised in my prior letter, that my client has provided all reasonable cooperation to preempt any problems and to produce verification of the selected preventative technique.

For verification of the hydraulic effectiveness of the recharge trench, CDM analyzed the groundwater level data measured by Environ and concluded that the trench was a very effective barrier. More important, the PRPs' consultant came to the same conclusion, as indicated by this quote from an email in which LFR transmitted the updated groundwater level data (attached), on July 10, 2007. Quoting Tat Ebihara of LFR:

The system appears to have reached "steady-state" with the current configuration. Data indicates a positive hydraulic gradient from Q-10 to H-10 and Q-10 to V-10 toward the Midco extraction wells with the new recharge trench, so this is a good result. Levels in P-1 are up a bit as well.

The trench had the desired effect of providing an effective hydraulic barrier between the MIDCO II site and the dewatering operation at the Airport. Regarding the sampling and testing of groundwater pumped from the dewatering pit, my client contracted with an accredited laboratory to test the samples for a suite of volatile organic chemicals (VOCs) and selected inorganics. Attached please find a complete reporting of the lab results for the two (duplicate) samples, which were taken from the dewatering discharge line on Tuesday July 5, 2007. All of the VOC results were "not detected" except for 1,2-dichloroethane which was detected at 6.6-6.7 micrograms per liter (parts per billion, ppb), which is below the Indiana RISC "industrial" limit of 31 ppb. Regarding the inorganics, only arsenic was detected at a concentration (18 ppb) above the industrial RISC value (10 ppb), but this is not unexpected given the background conditions in the general area. In addition, my client informs me and CDM confirms that essentially all of the discharged groundwater from the dewatering recharged to the local groundwater system and did not flow further off-site. In essence, the measured concentrations were all within or below typical site background values.

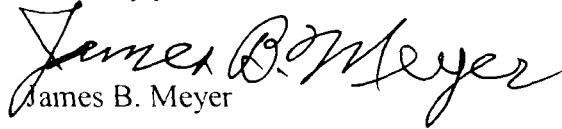
Based on these results, and the fact that the dewatering and trench operations were restricted to access from the general public, the dewatering operation posed no threat to human health and the environment and did not exacerbate the groundwater contamination issues at the MIDCO II site.

As a final note, it remains my client's position that any liabilities arising out of the contamination of MIDCO II by the PRPs are the responsibility of the PRPs, and not that of the Airport or its agents and consultants, including, but not limited to, my client. It is my client's suggestion that the Airport, the PRPs, and other interested parties discuss a resolution of the potential problem posed by any significant dewatering at the Airport in

the vicinity of MIDCO II since, due to the ubiquitous shallow ground water depth on Airport property, virtually any construction project at the Airport will require significant dewatering.

If there are any questions, please don't hesitate to call.

Sincerely yours,


James B. Meyer

CC: Pat Lee, USEPA, City of Gary, Gary/Chicago Airport, CDM, Environ, LFR